

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN

----- X  
JOHN LOFFREDO, *et al.*,

Plaintiffs,

vs.

DAIMLER AG, *et al.*,

Defendants.  
----- X

Civil Action No.:  
2:10-cv-14181

Hon. Julian A. Cook

**DEFENDANTS' *EX PARTE***  
**MOTION TO EXCEED REPLY BRIEF PAGE LIMIT**

Defendants Daimler AG, Thomas Lasorda and State Street Bank and Trust Company, by their counsel, hereby move *ex parte*, pursuant to E.D. Mich. Local Rule 7.1(d)(3)(A), for an order permitting them to exceed the page limit for their Reply Briefs in Support of Motions to Dismiss Plaintiff's First Amended Complaint (Docket Nos. 74, 75, 76).

Although Defendants' Briefs are written as concisely as possible, the legal and factual discussion of issues raised by Plaintiffs in their Response Briefs to Defendants' Motions cannot be accomplished within seven (7) pages. These issues deserve thorough, accurate and detailed attention which requires reply briefs in excess of the page limit. Further, as this Court has indicated that it will decide the Motions to Dismiss on the papers presented, it is imperative that all of Defendants'

arguments are fully briefed in their Reply Briefs and not abbreviated to allow for the seven-page limit.

Accordingly, Defendants respectfully request that this Court permit them to exceed the seven (7) page limit for reply briefs and submit Reply Briefs not to exceed twelve (12) pages. A proposed order has been submitted along with this motion.

WHEREFORE, Defendants respectfully request that they be permitted to file Reply Briefs in Support of their Motions to Dismiss Plaintiffs' First Amended Complaint in excess of seven (7) pages but not to exceed twelve (12) pages, and that the Court accept such briefs for filing.

DICKINSON WRIGHT PLLC

By: /s/ L. Pahl Zinn  
L. Pahl Zinn (P57516)  
Lawrence G. Campbell (P11553)  
Thomas G. McNeill (P36895)  
500 Woodward Avenue, Suite 4000  
Detroit, Michigan 48226  
Telephone: (313) 223-3500  
Email: pzinn@dickinson-wright.com

Jaculin Aaron  
Alan S. Goudiss  
K. Mallory Brennan  
SHEARMAN & STERLING LLP  
599 Lexington Avenue  
New York, New York 10022  
Email: [jaaron@shearman.com](mailto:jaaron@shearman.com)

*Attorneys for Defendant Daimler AG*

/s/ L. Pahl Zinn  
L. Pahl Zinn (P57516)  
Lawrence G. Campbell (P11553)  
Thomas G. McNeill (P36895)  
DICKINSON WRIGHT LLC  
500 Woodward Ave., Ste. 4000  
Detroit, Michigan 48226  
Telephone: (313) 223-3500  
[pzinn@dickinsonwright.com](mailto:pzinn@dickinsonwright.com)

J. Timothy Mast  
Troutman Sanders LLP  
600 Peachtree Street, NE  
Suite 5200  
Atlanta, GA 30308  
404-885-3312

*Attorneys for Defendant*  
*THOMAS LASORDA*

/s/ James D. VandeWyngaerde  
James D. VandeWyngaerde (58634)  
PEPPER HAMILTON LLP  
4000 Town Center, Suite 1800  
Southfield, MI 48075  
248-359-7387

Wilber H. Boies  
Nancy G. Ross  
McDERMOTT WILL & EMERY LLP  
227 W. Monroe Street  
Chicago, IL 60606  
312-984-7686

*Attorneys for Defendant*  
*State Street Bank and Trust Company*

Dated: November 8, 2013

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN

-----	x
JOHN LOFFREDO, <i>et al.</i> ,	
Plaintiffs,	
vs.	Civil Action No.:
	2:10-cv-14181
DAIMLER AG, <i>et al.</i> ,	Hon. Julian A. Cook
Defendants.	
-----	x

**BRIEF IN SUPPORT OF DEFENDANTS’  
EX PARTE MOTION TO EXCEED REPLY BRIEF PAGE LIMIT**

In support of their *Ex Parte* Motion to Exceed Reply Brief Page Limit, Defendants Daimler AG, Thomas Lasorda and State Street Bank and Trust Company rely on the Local Rule 7.1(d)(3)(A), and the facts and law contained in the accompanying *Ex Parte* Motion to Exceed Reply Brief Page Limit.

WHEREFORE, Defendants respectfully requests that they be permitted to file Reply Briefs in Support of their Motions to Dismiss Plaintiffs’ First Amended Complaint in excess of seven (7) pages but not to exceed twelve (12) pages, and that the Court accept such briefs for filing.

DICKINSON WRIGHT PLLC

By: /s/ L. Pahl Zinn  
L. Pahl Zinn (P57516)  
Lawrence G. Campbell (P11553)  
Thomas G. McNeill (P36895)  
500 Woodward Avenue, Suite 4000  
Detroit, Michigan 48226  
Telephone: (313) 223-3500  
Email: pzinn@dickinson-wright.com

Jaculin Aaron  
Alan S. Goudiss  
K. Mallory Brennan  
SHEARMAN & STERLING LLP  
599 Lexington Avenue  
New York, New York 10022  
Email: [jaaron@shearman.com](mailto:jaaron@shearman.com)

*Attorneys for Defendant Daimler AG*

/s/ L. Pahl Zinn  
L. Pahl Zinn (P57516)  
Lawrence G. Campbell (P11553)  
Thomas G. McNeill (P36895)  
DICKINSON WRIGHT LLC  
500 Woodward Ave., Ste. 4000  
Detroit, Michigan 48226  
Telephone: (313) 223-3500  
[pzinn@dickinsonwright.com](mailto:pzinn@dickinsonwright.com)

J. Timothy Mast  
Troutman Sanders LLP  
600 Peachtree Street, NE  
Suite 5200  
Atlanta, GA 30308  
404-885-3312

*Attorneys for Defendant*

*THOMAS LASORDA*

/s/ James D. VandeWyngaerde

James D. VandeWyngaerde (58634)  
PEPPER HAMILTON LLP  
4000 Town Center, Suite 1800  
Southfield, MI 48075  
248-359-7387

Wilber H. Boies  
Nancy G. Ross  
McDERMOTT WILL & EMERY LLP  
227 W. Monroe Street  
Chicago, IL 60606  
312-984-7686

*Attorneys for Defendant*

DATED: November 8, 2013      *State Street Bank and Trust Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2013, I electronically filed the foregoing paper using the ECF System which sent notification to registered participants of the ECF System as listed on the Court's Notice of Electronic Filing.

/s/ L. Pahl Zinn

L. Pahl Zinn  
DICKINSON WRIGHT PLLC  
500 Woodward Avenue, Ste. 4000  
Detroit, MI 48226  
Tel: (313) 223-3500  
Fax: (313) 223-3598  
E-Mail: pzinn@dickinsonwright.com  
Bar No. P57516

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN

----- X  
JOHN LOFFREDO, *et al.*,

Plaintiffs,

vs.

DAIMLER AG, *et al.*,

Defendants.  
----- X

Civil Action No.:  
2:10-cv-14181

Hon. Julian A. Cook

**ORDER GRANTING DEFENDANTS' *EX PARTE***  
**MOTION TO EXCEED REPLY BRIEF PAGE LIMIT**

Defendants Daimler AG, Thomas Lasorda and State Street Bank and Trust Company, having moved this Court for an Order allowing them to exceed the seven-page reply brief limit as to their Reply Briefs in Support of Motions to Dismiss Plaintiffs' First Amended Complaint (Docket Nos. 74, 75 and 76); and the Court being otherwise fully advised in the premises:

IT IS ORDERED that Defendants' *Ex Parte* Motion to Exceed Reply Brief Page Limit is hereby GRANTED, and Defendants' Reply Briefs in Support of their Motions to Dismiss Plaintiffs' First Amended Complaint may exceed the seven-page reply brief limit, but shall not exceed twelve (12) pages.

\_\_\_\_\_  
U.S. DISTRICT COURT JUDGE